

(1) The importer must have in his possession a certification from the exporter (exporter certification) certifying that the jadeite or rubies were not mined or extracted from Burma, with verifiable evidence from the exporter that tracks the jadeite or rubies: In rough form, from mine to exportation; and for finished jadeite, polished rubies, and articles of jewelry containing jadeite or rubies, to the place of final finishing; and

(2) The importer must maintain, for a period of not less than 5 years from the date of entry of the good, a full record of, in the form of reports or otherwise, complete information relating to any act or transaction related to the purchase, manufacture, or shipment of the good.

(f) *Requirement to provide information.* An importer who enters any good (or withdraws any good from warehouse for consumption) under heading 7103, 7113, or 7116 of the HTSUS must provide all documentation to support the certifications described in paragraphs (d) and (e) of this section to CBP upon request or be subject to recordkeeping penalties under part 163 of the chapter.

(g) *Inapplicability.* This section does not apply to the following articles:

(1) Jadeite, rubies, and articles of jewelry containing jadeite or rubies that are reimported into the United States after having been previously exported from the United States, including those that accompanied an individual outside the United States for personal use, if they are reimported into the United States by the same person who exported them, without having been advanced in value or improved in condition by any process or other means while outside the United States; and

(2) Jadeite or rubies mined or extracted from a country other than Burma, and articles of jewelry containing jadeite or rubies mined or extracted from a country other than Burma that are imported by or on behalf of an individual for personal use and accompanying an individual upon entry into the United States.

[CBP Dec. 09-01, 74 FR 2846, Jan. 16, 2009]

#### MEXICAN CEMENT PRODUCTS

#### § 12.155 Entry or admission of Mexican cement products.

(a) *In general.* On March 6, 2006, the United States Trade Representative, United States Department of Commerce and Mexico's Secretaria de Economia entered into an "Agreement on Trade in Cement" (Agreement). Pursuant to the Agreement, the United States Department of Commerce will administer an import licensing system that covers imports of Mexican cement as defined in section I.L. of the Agreement. The Secretary of the Treasury, through the Bureau of Customs and Border Protection (CBP), is responsible for the promulgation and administration of regulations regarding the entry of the subject merchandise into the United States. The Agreement will terminate on March 31, 2009, unless it has been terminated prior to that date.

(b) *Reporting the import license number.* For every entry of merchandise for which a Mexican cement import license is required to be obtained under regulations promulgated by the U.S. Department of Commerce, set forth at 19 CFR 361.101 through 361.105, the entry (unless otherwise directed by CBP) must be a paper filing and the license number must be included:

(1) On the entry summary, at the time of filing, in the case of merchandise entered or withdrawn from warehouse for consumption in the customs territory of the United States, except for Mexican cement that was previously admitted to a FTZ and for which an import license number was already provided to CBP on the CBP Form 214. If the entry summary requires more than one cement import license, each license number must be reported within the column on the line item covering the subject cement; or

(2) On CBP Form 214 or on an electronic version of CBP Form 214 (CBP Form e-214), as required by CBP, at the time of filing under part 146 of this chapter, in the case of an application for foreign trade zone (FTZ) admission and/or status designation.

(c) *Import license information.* There is no requirement to present physical copies of the import license to CBP at the time of filing either the CBP Form

**Pt. 18**

**19 CFR Ch. I (4–1–09 Edition)**

7501 or CBP Form 214; however, importers must maintain copies in accordance with the applicable recordkeeping provisions set forth in the chapter.

(d) *Export license information.* Under regulations promulgated by the U.S. Department of Commerce, set forth at 19 CFR 361.101(d), importers of Mexican cement must submit an original, physical copy of a valid Mexican export license to CBP with the entry summary documentation (unless otherwise directed by CBP). In the case of an application for FTZ admission and/or status designation, the original physical copy of a valid Mexican export license must be provided to the FTZ operator with the CBP Form 214 (unless otherwise directed by CBP) and, in such case, upon withdrawal from the FTZ no paper export license will be required to be submitted to CBP with the merchandise's subsequent entry summary documentation. For multiple shipments at multiple ports, or multiple entries at one port, the original physical copy of the Mexican export license must be submitted to CBP (unless otherwise directed by CBP) with the first entry summary or to the FTZ operator with the CBP Form 214 or CBP Form e-214, as required by CBP, and a copy of the export license must be presented with each subsequent entry summary or CBP Form 214/e-214. Importers must also retain copies of the export license issued by the Mexican Government pursuant to the recordkeeping requirements set forth in part 163 of this title.

(e) *Duration of requirements.* The provisions set forth in this section are applicable for as long as the Agreement remains in effect.

[72 FR 10005, Mar. 6, 2007; 72 FR 11944, Mar. 14, 2007]

**PART 18—TRANSPORTATION IN BOND AND MERCHANDISE IN TRANSIT**

**GENERAL PROVISIONS**

**Sec.**

- 18.1 Carriers; application to bond.
- 18.2 Receipt by carrier; manifest.
- 18.3 Transshipment; transfer by bonded cartman.
- 18.4 Sealing conveyances and compartments; labeling packages; warning cards.

- 18.4a Containers or road vehicles accepted for transport under customs seal; requirements.
- 18.5 Diversion.
- 18.6 Short shipments; shortages; entry and allowance.
- 18.7 Lading for exportation, verification of.
- 18.8 Liability for shortage, irregular delivery, or nondelivery; penalties.
- 18.9 Examination by inspectors of trunk line associations or agents of the Surface Transportation Board.
- 18.10 Kinds of entry.
- 18.10a Special manifest.

**IMMEDIATE TRANSPORTATION WITHOUT APPRAISEMENT**

- 18.11 Entry; classes of goods for which entry is authorized; form used.
- 18.12 Entry at port of destination.

**SHIPMENT OF BAGGAGE IN BOND**

- 18.13 Procedure; manifest.
- 18.14 Shipment of baggage in transit to foreign countries.

**MERCHANDISE IN TRANSIT THROUGH THE UNITED STATES TO FOREIGN COUNTRIES**

- 18.20 Entry procedure; forwarding.
- 18.21 Restricted and prohibited merchandise.
- 18.22 Procedure at port of exit.
- 18.23 Change of destination; change of entry.
- 18.24 Retention of goods on dock; splitting of shipments.

**EXPORTATION FROM CUSTOMS CUSTODY OF MERCHANDISE UNENTERED OR COVERED BY AN UNLIQUIDATED CONSUMPTION ENTRY, OR MERCHANDISE DENIED ADMISSION BY THE GOVERNMENT**

- 18.25 Direct exportation.
- 18.26 Indirect exportation.
- 18.27 Port marks.

**MERCHANDISE TRANSPORTED BY PIPELINE**

- 18.31 Pipeline transportation of bonded merchandise.

**MERCHANDISE NOT OTHERWISE SUBJECT TO CUSTOMS CONTROL EXPORTED UNDER COVER OF A TIR CARNET**

- 18.41 Applicability.
- 18.42 Direct exportation.
- 18.43 Indirect exportation.
- 18.44 Abandonment of exportation.
- 18.45 Supervision of exportation.

**AUTHORITY:** 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States), 1551, 1552, 1553, 1623, 1624;

Section 18.3 also issued under 19 U.S.C. 1565;